

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-1162-CR-MOORE
MAGISTRATE JUDGE P. A. WHITE

UNITED STATES OF AMERICA, :
Plaintiff, :
v. : ORDER OF DIRECTIONS
JULIO DAVID ALFONSO, : TO CLERK
Defendant. :

This Cause is before the Court upon the defendant's "motion to dismiss the information filed under Title 21 U.S.C. §851(a) the court lack of subject matter jurisdiction pursuant to Rule 60(b) (4) Fed.R.Civ.Proc. and Rule 12(b) (2) of Fed.R. Crim.Proc." (DE #118), referred to the undersigned by United States District Judge K. Michael Moore (DE #121). Upon review of the motion, it is noted that this motion should constitute a new case, filed pursuant to 28 U.S.C. §2255. It is thereupon

ORDERED AND ADJUDGED that the Clerk shall docket the motion (DE #118), the government's opposition to defendant's motion to dismiss (DE #120) and the Order of Reference (DE #121) and open a new case, filed pursuant under 28 U.S.C. §2255.

DONE AND ORDERED at Miami, Florida, this 8 day of November, 2007.

s/Patrick A. White
UNITED STATES MAGISTRATE JUDGE

cc: Julio David Alfonso, Pro Se
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